

PROCEEDINGS OF COMMON COUNCIL.

REGULAR SESSION—DECEMBER 19, 1881.

The Common Council of the City of Indianapolis met in the Council Chamber, Monday evening, December 19th, A. D. 1881, at seven o'clock, in regular session.

PRESENT—Hon. Daniel W. Grubbs, Mayor, and *ex officio* President of the Common Council, in the Chair, and 19 members, viz: Councilmen Bedford, Brundage, Bryce, Caylor, Cole, Coy, Dowling, Egger, Fultz, Harrold, Knodel, Koller, Morrison, Pearson, Pritchard, Reichwein, Thalman, Ward, and Weaver.

ABSENT—Councilmen Cowie, Dean, Hartmann, Mauer, Stout, and Yoke—6.

The Proceedings of the Common Council for the regular session, held December 5th, 1881, having been printed, and placed on the desks of the Councilmen, said Journals were approved as published.

COMMUNICATIONS, ETC., FROM THE MAYOR.

His Honor, the Mayor, presented the following communication; which was received:

Indianapolis, Dec. 19th, 1881.

To the Common Council:

Gentlemen:—In compliance with a resolution adopted by the Common Council on the 21st day of November, 1881, I hereby appoint Councilmen George Weaver and Edward H. Dean to act as Commissioners for the erection of a Market House and City Hall buildings.

D. W. GRUBBS, Mayor.

His Honor, the Mayor, presented the following communications; which were referred to the Board of Public Improvements:

Indianapolis, Dec. 12th, 1881.

MR. D. W. GRUBBS,

Dear Sir:—I wish to call your attention to a matter of damage to property on Douglass street, between Michigan and Vermont streets, resulting from turning the water from east side of Blake street on the open lots back of the property on Douglass street, south of the alley running east and west between said streets. At the last heavy rains, it flooded these lots, filled the cellars and drove them out of their stables and carriage houses, and covering their coal with this back-water. I called at the City Engineer's office, and learned from Mr. Patterson that the City Council

had been notified, and that he had reported the remedy. The property on Douglass street has paid its taxes, and ought to be protected. The trouble is not from their own street, and the city is certainly liable for the damages, and it will be wrong if the parties are compelled to seek their remedy by the law. As the matter presents itself to a disinterested party, the right thing to be done would be for the Council to appoint a committee, who should call upon the parties injured, and find out and pay to them the full amount of their damages.

I called on the Councilman for the Ward, and he told me he had been trying to have something done for some time, but had not succeeded. If your opinion is that this matter should be remedied before greater damage is done, will you please bring it before the proper parties for consideration, and oblige

Yours,

JACOB P. DUNN.

To the Honorable, the Mayor, and Common Council, and

Board of Aldermen of the City of Indianapolis:

Gentlemen:—The undersigned, agents for the real estate belonging to the United States Mortgage Company in this city, respectfully represent, that said company own the Wheatley Block, situated at the northeast corner of New Jersey and Ohio streets; that the basement of said property has been several times overflowed by reason of the faulty engineering of the city, by which an undue amount of the surface water is drained to this point; that said company did heretofore, by permission of the city, cause to be constructed a brick sewer for said property, in and along Ohio street to Pennsylvania street, for the purpose of taking off from their buildings the house-slops, etc; that said sewer is of sufficient capacity for the uses for which it was designed, but not of sufficient capacity to take off the extra water thrown upon it by your system of engineering.

This company has already paid large sums for damages to tenants, and for repair of the property caused by these floods, and damages have been sustained by the property, and its permanent value impaired, for all of which the city is liable, as we are informed and believe. The danger of future loss and damage has now been increased by the recent grading of New York street, between Massachusetts avenue and New Jersey streets, whereby water is taken by a forced and unnatural route away from the Massachusetts sewer, and emptied it into the small and insufficient sewer constructed by this company in Ohio street.

Your attention to this subject is earnestly solicited. The company have paid a large sum for this property, and have at their own cost constructed this sewer, and are in no respect delinquent in their obligations to the city, so far as we or they are aware. Further, the city is using this sewer at several points for surface drainage, thus overloading it, and preventing it in times of emergency, from doing the service it was constructed to do for the Wheatley Block.

We also beg to call your attention to the fact that at several points in the neighborhood, the gutters are obstructed so as to prevent the flow of surface water, and so aggravate the difficulty.

We hereby ask for an examination of the company's claims for these damages and expenditures, which we estimate at three thousand dollars, and pray for relief appropriate to the case.

Respectfully,

JOHN S. SPANN & Co., Agents.

REPORTS, ETC., FROM CITY OFFICERS.

The City Civil Engineer submitted the following report; which was received, and estimates (presented therewith) approved:

To the Mayor, Common Council and Board of Aldermen :

Gentlemen:—I herewith report the following estimates for work completed according to contract. A first and final estimate in behalf of Richard Carr, for bouldering and curbing the gutters of South street, from Pennsylvania street to Delaware street (where not already properly bouldered or curbed.)

753.40 lineal feet of bouldering, at 65 cents.....	\$489 70
362.45 lineal feet of curbing at 42 cents.....	152 32
Total.....	\$641 92

A first and final estimate in behalf of Henry C. Roney, for grading and paving with brick, the sidewalks of Georgia street, from Noble street to Dillon street, (where not already properly paved.)

1809.95 lineal feet, at 45 cents.....	\$814 45
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A first and final estimate in behalf of Samuel Keers & Co., for grading and gravelling Seventh street and sidewalks from Columbia avenue to Hill avenue.

2,531 90 lineal feet at 65 cents... ..	\$1,645,72
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A first and final estimate in behalf of J. L. Spaulding, for grading and paving with brick and curbing with stone when not already properly paved or curbed, the north sidewalk of Maryland street from West street to Helen street

873.95 lineal feet curbing at 42 cents.....	\$367 04
794 90 lineal feet paving at 47 cents.....	373 63

Total.....	\$740 67
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A first and final estimate in behalf of John Schier, for grading and paving with brick the south sidewalk of Michigan street, from Liberty street to East street.

415.10 lineal feet at 43 cents,.....	\$178 50
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A first and final estimate in behalf of F. J. Blume, for grading and paving with brick the sidewalks of Spann avenue, from Dillon street, to Linden street.

2,052 lineal feet at 40 cents.....	\$820 80
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A first and final estimate in behalf of J. D. Hoss & Co., for grading and paving with brick (where not already paved), the south sidewalk of First street, from Illinois street to the Canal.

1,340.05 lineal feet at 40 cents.....	\$536 02
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A first and partial estimate in behalf of Fred Richter, for constructing one 1,200-barrel cistern at or near the corner of Ellsworth and Vermont streets.

1,012.25 barrels at 47 cents	\$475 75
Less 25 per cent reserve... ..	118 93

Amount allowed.....	\$356 82
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Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The following estimate resolution was read :

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Richard Carr, for bouldering and curbing the gutters of South street from Pennsylvania street to Delaware street, be, and the same is hereby adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote :

AYES, 16—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Dowling, Egger, Fultz, Harrold, Knodel, Koller, Morrison, Pearson, Pritchard, Reichwein, Thaman, and Weaver.

NAYS—None.

The following estimate resolution was read :

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Henry C. Roney, for grading and paving with brick, the sidewalks of Georgia street, from Noble street to Dillon street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote :

AYES, 16—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Dowling, Egger, Fultz, Harrold, Knodel, Koller, Morrison, Pearson, Pritchard, Reichwein, Thaman, and Weaver.

NAYS—None.

The following estimate resolution was read :

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of Samuel Keers & Co., for grading and graveling Seventh street and sidewalks from Columbia avenue, to Hill avenue, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote :

AYES, 16—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Dowling, Egger, Fultz, Harrold, Knodel, Koller, Morrison, Pearson, Pritchard, Reichwein, Thaman, and Weaver.

NAYS—None.

The following estimate resolution was read :

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of J. L. Spaulding, for grading and paving with brick and curbing with stone when not already properly paved or curbed, the north sidewalk of Maryland street, from West street to Helen street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote :

AYES, 16—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Dowling, Egger, Fultz, Harrold, Knodel, Koller, Morrison, Pearson, Pritchard, Reichwein, Thaman, and Weaver.

NAYS—None.

The following estimate resolution was read :

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of John Schier, for grading and paving with brick, the south sidewalk of Michigan street, from Liberty street to East street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote :

AYES, 16—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Dowling, Egger, Fultz, Harrold, Knodel, Koller, Morrison, Pearson, Pritchard, Reichwein, Thaman, and Weaver.

NAYS—None.

The following estimate resolution was read :

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of F. J. Blume, for grading and paving with brick the sidewalks of Spann avenue, from Dillon street to Linden street, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote :

AYES, 16—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Dowling, Egger, Fultz, Harrold, Knodel, Koller, Morrison, Pearson, Pritchard, Reichwein, Thaman, and Weaver.

NAYS—None.

The following estimate resolution was read :

Resolved by the Common Council and Board of Aldermen of the City of Indianapolis, That the accompanying first and final estimate in behalf of J. D. Hoss & Co., for grading and paving with brick, where not already paved, the south sidewalk of First street, from Illinois street to the Canal, be, and the same is hereby, adopted as the estimate of the Common Council and Board of Aldermen of said city; and that the property owners are hereby required to pay the sums set opposite their respective names.

And it was adopted by the following vote :

AYES, 16—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Dowling, Egger, Fultz, Harrold, Knodel, Koller, Morrison, Pearson, Pritchard, Reichwein, Thaman, and Weaver.

NAYS—None.

The City Civil Engineer submitted the following report; which was received, the contracts concurred in, and the bonds approved :

To the Mayor, Common Council, and Board of Aldermen :

Gentlemen:—I herewith report the following contracts and bonds :

Contract and bond of R. H. Patterson for grading and graveling the first alley east of Benton street, from Meek street to Georgia street. Bond \$600; surety, S. J. Patterson.

Contract and bond of R. H. Patterson for grading and graveling the first alley north of McCarty street, from the first alley east of Alabama street to the first alley west of New Jersey street. Bond \$400; surety, S. J. Patterson.

Contract and bond of R. H. Patterson for grading and bouldering the first alley east of Meridian street from the south line of lot 6, square 97, to Pogues Run. Bond \$800; surety S. J. Patterson.

Contract and bond of J. D. Hoss & Co., for grading and paving with brick and curbing with stone, the east sidewalk of Pine street from St. Clair street to the first alley South. Bond \$400; surety David R. Marshall.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The City Civil Engineer submitted the following report; which was received:

To the Mayor, Common Council, and Board of Aldermen:

Gentlemen:—I make the following report for your consideration and action thereon:

The time for the completion of the work, according to contract of Samuel W. Patterson, for paving with wood blocks the roadway of Meridian street, and bouldering the wings of the street and alley crossings thereof, from New York street to St. Clair street, expired on the 12th of December, 1881.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

Councilman Morrison offered the following motion, which was adopted; and Councilmen Morrison, Pritchard and Thalman appointed by the Chair to act as the Council members of such committee:

WHEREAS, The Council has upon two former occasions extended the time for the improvement of North Meridian street, and the Board of Aldermen have refused to extend said contract, it is conceded by all that the contract price for the improvement is a reasonable price, and the trouble has been in the contractor and Mr. Jones not having a proper understanding as to the kind of blocks to be used on said street. Mr. Jones not fully understanding what the specifications called for, until his recent visit to this city. Mr. Patterson now says the blocks will be sent in good time, and the street will be made according to plans and specifications if the time is extended.

Moved, That a Conference Committee be appointed to consider the matter as to the extension of time for the improvement of North Meridian street, to consist of three (3) members of the Council and a like number of the Board of Aldermen, also the City Attorney.

The City Civil Engineer submitted the following report; which was referred to the Judiciary Committee and City Attorney, with instructed to report probable expense:

To the Mayor, Common Council, and Board of Aldermen:

Gentlemen:—I most respectfully ask your honorable bodies to instruct the City Attorney and Judiciary Committee to revise all blank forms of ordinances, bonds, etc., relative to street improvements.

Respectfully submitted,

S. H. SHEARER, City Civil Engineer.

The following report from the City Clerk was read:

To the Mayor and Common Council:

Gentlemen:—I herewith report the following affidavits, now on file in my office, for the collection of street assessments by precepts, to-wit:

James Mahoney vs. Mary Earley, for.....	\$ 4 60
James Mahoney vs. Mary J. Anderson, for.....	7 59
James Mahoney vs. C. B. Smock, for.....	7 59
James Mahoney vs. Catharine Miller, for.....	7 59
James Mahoney vs. W. H. Draper, for.....	7 59
Fred. Gansberg vs. James Kinsey, for.....	26 12
James Mahoney vs. William H. Blount, for.....	7 59

And recommend you order the precepts to issue.

Respectfully submitted,

JOS. T. MAGNER, City Clerk.

On motion, the above report was concurred in, and the precepts ordered to issue by the following vote:

AYES, 15—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Dowling, Egger, Fultz, Harrold, Knodel, Koller, Morrison, Pearson, Pritchard, Reichwein, and Weaver.

NAYS, 1—viz. Councilman Thalman.

REPORTS, ETC., FROM OFFICIAL BOARDS.

The Fire Board, through Councilman Thalman, submitted the following report; which was referred to the Committee on Judiciary:

To the Mayor, City Council, and Board of Aldermen:

Gentlemen:—We herewith submit a bill from Prof. C. C. Koerner, for damages sustained to horse and buggy by No. 5 Hose Reel running into same on the night of November 9th, 1881. We have enquired into the matter, and find that the claim is not unreasonable. We recommend that the amount be allowed.

Indianapolis, Dec. 15th, 1881.

CITY OF INDIANAPOLIS, Dr.

To C. C. Koerner, for damage to horse and buggy by No. 5 Hose Reel, Nov. 9, 1881..... \$125 00

Respectfully submitted,

Isaac Thalman,
Phil. Reichwein,
Fire Board.

The Board of Health presented the following communication; which was referred to the Committee on Markets and City Attorney:

Indianapolis, Ind., Dec. 19th, 1881.

To the Honorable Mayor, and Common Council of the City of Indianapolis:

Gentlemen:—We desire to call your attention to the question of slaughtering for human food, animals that are diseased or injured, and sale of the meat of the same.

Without consuming your time by details, permit us to say, that we are satisfied there are constantly being killed and offered upon our markets for sale, animals that are diseased or injured, whose flesh is unfit for human food.

From the central location of our city, there is necessarily a large number of maimed and injured animals daily received from the railroads; besides, it is a well known fact that very frequently, as soon as disease breaks out in a herd of swine, within an extensive area around our city, the owner immediately hurries them into our markets, although at the Union Stock Yards, near the city, a series of pens and stalls, known as the hospital, are kept, into which these diseased and injured animals are placed for sale; yet, the Stock Yards being outside of the corporate limits of our city, there is no method by which it can be ascertained what disposition is made of those animals; and for a radius of several miles around our city, there are located many small slaughtering houses, over which no one has sanitary jurisdiction. At these places these animals can be killed, cut up and skinned, and so manipulated that even an expert can hardly detect the bad meat. The opportunities for unscrupulous parties to impose on our citizens are so great, that it is impossible, under the present status of affairs, to insure against this evil.

It seems to us that the only remedy that will insure against a continuation of these wrongs, is to establish an Abattoir, or General Slaughtering House, where every animal designed to be killed for food for our people, can be inspected and branded before being killed. Let a small fee be required of the butchers for such inspection of each animal, and let a competent, reliable inspector be appointed by the city authorities. We can then safely guarantee against the present well-founded cause of complaint.

Such an establishment need not be an expense to the city. It would be more than self-sustaining; and the experience of many cities in our own and other countries, confirm us in stating that it will be conducive to health, and a relief from many objections against the present system.

The reasons in favor of the measure are so many and obvious, that it is useless to consume your time enumerating them. But we respectfully suggest that you refer the matter to suitable committees and persons for further investigation and report.

Very respectfully,

E. S. Elder, M. D.,
Wm. E. Jeffries, M. D.,
J. W. Elstun, M. D.,
Board of Health.

The Board of Health presented the following claim; which was referred to the Committee on Accounts and Claims:

Indianapolis, Dec. 19th, 1881.

THE CITY OF INDIANAPOLIS,

To Messrs. Birk & Miller,

Dr.

1881. Dec. 20. To removing dead animals from city from October 24th, 1881, to November 21st, 1881, at \$3.00 per day..... \$64 50

According to contract between us, the Committee of Public Health and Board of Health. BIRK & MILLER.

The above bill is correct and unpaid, and according to instructions from Mayor and Committee of Health.

E. S. ELDER, M. D., Pres't. Board of Health.

The Board of Health presented the following communication; which was referred to the Committees on Public Health and Streets & Alleys:

Indianapolis, Dec. 19th, 1881.

To His Honor, the Mayor, and Common Council:

Gentlemen:—The alley east and in rear of Nos. 18, 20, 22 and 24, east Maryland street, is in such condition that it seems impossible to clean and keep in good sani-

tary condition, without improving same; and the Board of Health respectfully recommend to the Council that the above alley be improved, as a sanitary measure.

Very respectfully,

E. S. Elder,
W. E. Jeffries,
W. J. Elstun,
Board of Health.

There are also some lots on Ohio street, east of Arsenal avenue, which are below the level of the surrounding grounds, and there has been several complaints made to us. We suggest that they be filled up. Dr. Bedford can give more information regarding them.

BOARD OF HEALTH.

The Board of Health submitted the following mortality report; which was received:

Report of Deaths in the City of Indianapolis, from the 30th day of November, to the 15th day of December, 1881, inclusive.

Under 1 year.....	8
1 to 2 years.....	2
2 to 5 ".....	1
5 to 10 ".....	4
10 to 15 ".....	0
15 to 20 ".....	3
20 to 25 ".....	12
25 to 30 ".....	5
30 to 40 ".....	6
40 to 50 ".....	9
50 to 60 ".....	3
60 to 70 ".....	6
70 to 80 ".....	2
80 to 90 ".....	2
90 to 100 ".....	0
100 and upwards.....	0
Unknown.....	1
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Total.....	64

Respectfully, E. S. ELDER, M. D., President.
W. E. JEFFRIES, M. D., Secretary.

The Superintendent of the City Dispensary submitted the following report; which was received:

To the Common Council and Board of Aldermen of the City of Indiannapolis:

Gentlemen:—The following reports of the City Dispensary for the month of November, 1881, are respectfully submitted:

Number of Patients treated at Dispensary.....	125
Number of Medical cases at Dispensary	75
Number of Surgical cases at Dispensary	40
Number of Disease of Nervous System.....	5
Number of Disease of Eye and Ear.....	5
Number of Diseases of the Throat.....	0
Number of Out-door Patients treated	104
Number at Station House	5
Number at News Boys' Home.....	0
Number of Patients sent to Hospital.....	0
Number of Children Vaccinated	295
Total number of Patients treated during month.....	527

Total number of Visits made during month.....	365
Total number of Prescriptions filled during month.....	860
Number of Births during month.....	3
Number of Deaths during month.....	4

EXPENDITURES FOR MONTH.

C. A. Ritter, Superintendent.....	\$ 70 00
H. O. Pantzer, Assistant	41 66
F. M. Ferree, Assistant.....	41 66
C. H. Bacon, druggist.....	30 00
Stewart & Barry, drugs.....	66 47
Watson Coal and Mining Co.....	17 14
C. A. Ritter, vaccine virus furnished.....	19 25
Louis Bishop.....	6 00
Total expenditures for month.....	\$292 18

C. A. RITTER, M. D., Superintendent.

REPORTS, ETC., FROM STANDING COMMITTEES.

The Finance Committee, through Councilman Pearson, submitted the following report; which was concurred in :

To the Mayor and Common Council :

Gentlemen:—Your Committee on Finance was referred the reports of the City Clerk and City Treasurer for the months of October and November. Report that we have examined said reports and find them correct.

Respectfully submitted,

John R. Pearson,
Isaac Thalman,
E. H. Koller,

The Judiciary Committee, through Councilman Pritchard, submitted the following report; which was concurred in, and the motion ordered stricken from the files:

Indianapolis, Dec. 19th, 1881.

To the Mayor and Common Council :

Gentlemen:—Your Judiciary Committee, together with the City Attorney, to whom was referred motion “That the Printing Committee advertise ten days for proposals to furnish city stationery, and do the printing and book-binding for one year from January 1st, 1882.”

The motion assumes that there is no printing contract. If there is a valid printing contract in existence, the motion should be stricken from the files.

By ordinance ordained May 4th, 1859, “ten days notice shall be given in some newspaper, for proposals to contract for any work to be done for said city, the estimated cost of which shall exceed fifty dollars.”

This printing contract does exceed fifty dollars. If the Printing Committee is not given the power to contract for printing *without* advertising—by some ordinance of more recent date than the General Ordinance above referred to—then their action of *renewing* the contract with the Journal Company, without advertising for bids, would be void, and we would be without any valid contract.

But Section 5 of an ordinance ordained July 19th, 1869, gives the Committee on Printing power to contract without advertising for bids. The renewal of an old expired contract, is, in legal effect, a new contract. The Committee have continued, or renewed, last year's contract until May 1st, 1882.

It follows, therefore, that we have a contract on printing. Your committee therefore recommend that the motion be stricken from the files.

Respectfully submitted,

James A. Pritchard,
James T. Dowling.
Committee.

The Committee on Markets, through Councilman Caylor, submitted the following report; which was concurred in:

To the Common Council and Board of Aldermen:

Gentlemen:—Your Committee on Markets to whom was referred the communication of the Mayor, regarding the frequent complaints made to him that diseased meats are offered for sale in the Public Markets, would report as follows:

That the Committee have now placed all the butchers on the inside of the market house where the Market Master can have better control of them, and we do hereby recommend that the Sanitary Policeman now placed there as meat inspector be retained.

Respectfully submitted,

H. J. Mauer,
Allen Caylor,
Patrick Harrold.

The Committee on Streets and Alleys, through Councilman Weaver, submitted the following report; which was concurred in:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Streets and Alleys, together with the City Attorney, to whom was referred the matter of opening and widening Cruse and Dillon streets, have given the matter thorough investigation, and recommend the accompanying resolutions relative thereto, be adopted.

Respectfully submitted,

George Weaver,
Simeon Coy,
Committee on Streets and Alleys.

Councilman Weaver offered the following resolution:

Resolved, That the matter of opening, widening, laying out and extending Dillon street, to a width of sixty (60) feet, from a point on said street where Cedar street intersects the same, near Harrison street, to the north line of Meek street, together with the petition and plat presented in such case, be referred to the City Commissioners, with instructions to assess benefits and damages to any person or persons thereby benefitted or damaged. The Commissioners are hereby instructed to return, as a part of their report, all petitions and notices; and if any property owner immediately upon the line of said street, who is directly interested therein, shall object to such opening and extension of said street, to make such fact a part of their report; and the City Clerk is hereby directed to issue the proper notices to the Commissioners.

And it was adopted by the following vote:

AYES, 15—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Coy, Dowling, Egger, Fultz, Harrold, Knodel, Koller, Pearson, Thalman, Ward, and Weaver.

NAYS, 3—viz. Councilmen Cole, Morrison, and Pritchard.

Councilman Weaver offered the following resolution:

Resolved, That the matter of opening, widening, laying out and extending Cruse street, to a width of sixty (60) feet, from the north line of Meek street to the south end of Lots 25 and 26, Indiana Central Railroad Co.'s subdivision of Out-lot No. 90; thence north to the Michigan Road, together with the petition and plat presented in such case, be referred to the City Commissioners, with instructions to assess benefits and damages, to any person or persons thereby benefitted or damaged. The said Commissioners are hereby instructed to return, as a part of their report, all petitions and notices; and if any property owner immediately upon the line of said street, who is directly interested therein, shall object to such opening and extension of said street, to make such fact a part of their report; and the City Clerk is hereby directed to issue the proper notices to the Commissioners.

And it was adopted by the following vote:

AYES, 15—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Coy, Dowling, Egger, Fultz, Harrold, Knodel, Koller, Pearson, Thalman, Ward, and Weaver.

NAYS, 3—viz. Councilmen Cole, Morrison, and Pritchard.

The Committee on Streets and Alleys, through Councilman Weaver, submitted the following report; which was concurred in:

To the Mayor and Common Council:

Gentlemen:—Your Committee on Streets and Alleys herewith submit a petition of S. A. Fletcher and others, for the vacation of a part of Columbia street and first alley south, as shown in a plat herewith submitted, in and through Stanley's subdivision of out lot 8 west of White River, and would report that we have examined the locality of the proposed vacation, under a former petition referred to us and recommend the accompanying resolution referring the matter to the City Commissioners be adopted.

Respectfully submitted,

George Weaver,
Simeon Coy,
Committee on Streets and Alleys.

Councilman Weaver presented the following petition with the above report:

To the City Council of Indianapolis:

Gentlemen:—The undersigned respectfully petition for the vacation of that part of Columbia Street, and that part of a 15 foot alley which are platted through Stanley's sub. of lots 2, 3, 4 and 5 of Boatright's sub. of out lot 8, west of White river. The entire subdivision is owned by S. A. Fletcher & Co., and no streets or alleys abut or adjoin it on the east. The street and alley named have never been opened to the public, improved or used by anybody, and no damage can result from the vacation to anybody. The vacation is desired, so the property can be used for the erection of a manufactory upon it.

Respectfully submitted,

S. A. Fletcher & Co.
J. F. Holt,
S. J. Fletcher.

Councilman Weaver offered the following resolution:

Resolved, That the matter of vacation of that part of Columbia street, and that part of a 15 foot alley which are platted through Stanley's subdivision of Lots 2, 3, 4 and 5, of Boatright's subdivision of Out-lot 8, west of White River, together with the petition and plat presented in such case, be referred to the City Commissioners with instructions to assess benefits and damages to any person or persons thereby benefitted or damaged. The said Commissioners are hereby instructed to return,

as a part of their report, all petitions and notices; and if any property owner immediately on the line of said street or alley who is directly interested therein, shall object to such vacation of said street and alley, to make such fact a part of their report; and the City Clerk is hereby directed to issue the proper notices to the Commissioners,

And it was adopted by the following vote:

AYES, 19—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Cole, Coy, Dowling, Egger, Fultz, Harrold, Knodel, Koller, Morrison, Pearson, Pritchard, Reichwein, Thalman, Ward, and Weaver.

NAYS—None.

Councilman Weaver, in behalf of the Committee on Streets and Alleys, submitted the following report; which was concurred in:

To the Mayor and Common Council:

Gentlemen:—Your Committee on streets and alleys to whom was referred the petition of Albert E. Fletcher, for the vacation of certain platted ground belonging to him, would report that we have examined the same and recommend that the prayer of the petitioner be granted, and the adoption of the accompanying preamble and resolution.

Respectfully submitted,

George Weaver,
Simeon Coy,
Committee on Streets and Alleys.

Councilman Weaver offered the following resolution with the above report:

WHEREAS, Albert E. Fletcher has petitioned the Common Council of the city to vacate a certain subdivision known as Jesse L. McHatton's subdivision of Lot 73, in Albert E. and Ingram Fletcher's Oak Hill addition to the city; and

Whereas, It appears by said petition and the affidavit attached thereto, that said Fletcher is the owner of all the lots in said subdivision, and it appearing to the satisfaction of the Common Council and Board of Aldermen that more than twenty days notice of the pendency of said petition was given, by publication in a newspaper of general circulation in said city, and also by posting up notices of the same in three public places near the said subdivision proposed to be vacated, and no remonstrances or opposition having been made to said petition; therefore,

Resolved, That the plat of the subdivision known as Jesse L. McHatton's subdivision, of Lot 73, in Albert E. and Ingram Fletcher's Oak Hill addition to the city of Indianapolis, Marion county, Indiana, be and the same is hereby ordered to be vacated and set aside, and that the several streets and alleys laid out and platted in the said addition, be, and the same are hereby, vacated, and Albert E. Fletcher is hereby granted the right to fence said subdivision into one or more inclosures.

And it was adopted by the following vote:

AYES, 18—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Cole, Coy, Dowling, Egger, Fultz, Harrold, Knodel, Morrison, Pearson, Pritchard, Reichwein, Thalman, Ward, and Weaver.

NAYS—None.

SPECIAL ORDER.

The following entitled ordinance having been made a special order for this session, it was ordered engrossed, and read the third time :

G. O. 53, 1881—An Ordinance for the protection of travelers, passengers, and baggage, and for the preservation of order in and about the Union Depot, in the city of Indianapolis.

And it was passed by the following vote :

AYES, 16—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Dowling, Egger, Fultz, Harrold, Knodel, Koller, Morrison, Pearson, Pritchard, Reichwein, Thalman, and Weaver.

NAYS—None.

MESSAGES AND PAPERS FROM THE BOARD OF ALDERMEN.

The following message was read, and on motion, the Common Council receded from their former action :

To the Mayor and Common Council :

Gentlemen:—The Board of Aldermen in regular session, held in the Aldermanic Chamber, Monday evening, December 12th, 1881, non-concurred in your action in passing the following entitled ordinances :

G. O. 60, 1881—An Ordinance creating Police Commissioners, prescribing their powers and duties, and regulating the organization of the Police Force of the city of Indianapolis.

G. O. 61, 1881—An Ordinance providing for the management of the City Hospital, and providing for the selection of Supervisors of said Hospital.

G. O. 62, 1881—An Ordinance to establish a Dispensary in the city of Indianapolis to be known as the City Dispensary, and to provide for the government and management thereof.

G. O. 63, 1881—An Ordinance creating Commissioners of Public Works and Improvements, and prescribing their powers and duties, and the manner of their election and appointment.

G. O. 64, 1881—An Ordinance creating Fire Commissioners, and providing for the organization of the Fire Department of the city of Indianapolis, and prescribing rules and regulations governing the same.

I submit the same for your consideration.

For the Board of Aldermen :

GEO. T. BREUNIG, Clerk.

The following message was read, and, on motion, the matter as set forth therein, was referred to a certain committee of conference (see page 948, *ante*) previously appointed for the consideration of this subject :

To the Mayor and Common Council :

Gentlemen:—The Board of Aldermen, in regular session, held in the Aldermanic Chamber, Monday evening, December 12th, 1881, failed to recede from their former

action in non-concurring in your action recommending an extension of time for paving with wooden blocks north Meridian street, from New York to Seventh street.

I submit the same for your consideration.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

The following message was read, and, on motion, the Common Council adhered to their former action:

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen, in regular session, held in the Aldermanic Chambers, Monday evening, December 12th, 1881, non-concured in your action in adopting the following motion:

“That the Committee on Streets and Alleys be directed to examine the road or street on White River bank, at the corner of Ray street, where the road has been washed away, and take some steps toward opening another road.”

I submit the same for your consideration.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

The following message was read, and, on motion, the Common Council receded from their former action as to the approval of these two bonds:

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen in regular session, held in the Aldermanic Chamber, Monday evening, December 12th, 1881, concurred in the report of the Finance Committee, recommending the bonds of W. N. Wishard, as Superintendent of the City Hospital and Branch and John J. Garver, Superintendent of the City Dispensary, be referred back to your honorable body, as, by law, no member of the Common Council or city officer can be surety on any bond of a city officer. (Section 17, page 172, City Charter.)

I submit the same for your consideration.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

The bond of John J. Garver, Superintendent of the City Dispensary, in the penal sum of \$3,000.00, giving as surety, William H. Allen and Geo. W. Sloan, was then presented and approved.

The bond of W. N. Wishard, Superintendent of the City Hospital and Branch, in the penal sum of \$2,500.00, giving as surety, Chas. E. Kregelo and T. V. Bryan, was also presented and approved.

The following message was read, and, on motion, the matter as set forth therein, was concurrently adopted:

To the Mayor and Common Council:

Gentlemen:—The Board of Aldermen, in regular session, held in the Aldermanic Chamber, Monday evening, December 12th, 1881, adopted the following motion:

“That in all cases where the Water Works, Gas, or other company, have broken any street or pavement, and have failed to place the same in as good condition as originally, then the City Civil Engineer shall place such broken street or pavement

in good condition, and have the amount deducted from any bill or quarterly account due from the city to any such company."

I submit the same for your consideration.

For the Board of Aldermen:

GEO. T. BREUNIG, Clerk.

APPROPRIATION ORDINANCES.

Councilman Pearson introduced the following entitled appropriation ordinance, which was read the first time :

Ap. O. 76, 1881—An Ordinance appropriating money for the payment of the salaries and compensation of the members of the Common Council and Board of Aldermen, of the city officers, and officers and members of the Fire and Police Departments of the city of Indianapolis. [Amount appropriated, \$32,448.75.]

Later in the session, Councilman Pearson moved a suspension of the rules for the purpose of placing the above ordinance on its final passage.

Which motion was adopted, and the rules suspended by the following vote :

AYES, 18—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Cole, Coy, Dowling, Egger, Fultz, Harrold, Knodel, Koller, Morrison, Pearson, Pritchard, Reichwein, Thalman, and Ward.

NAYS—None.

Ap. O. 76, 1881, was then read the second time, ordered engrossed, read the third time, and passed by the following vote :

AYES, 18—viz. Councilmen Bedford, Brundage, Bryce, Caylor, Cole, Coy, Dowling, Egger, Fultz, Harrold, Knodel, Koller, Morrison, Pearson, Pritchard, Reichwein, Thalman, and Ward.

NAYS—None.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES.

Under this order of business, the following entitled ordinances were introduced, and severally read the first time.

By Councilman Bryce :

S. O. 171, 1881—An Ordinance to provide for grading and bowldering the first alley east of Illinois street, from South street to Garden street.

The above entitled ordinance was accompanied by the following petition :

To the Mayor, Common Council, and Board of Aldermen of the City of Indianapolis:

Gentlemen:—The undersigned, owners of real estate fronting on alley between Illinois and Meridian streets, and running from South to Garden street, respectfully petition for the passage of an ordinance providing for grading and bowldering of the first alley east of Illinois street, from South street to Garden street.

HETHERINGTON & BERNER. 300 feet.

By Councilman Bryce:

G. O. 67, 1881—An Ordinance providing for a flagman by the Jeffersonville, Madison & Indianapolis Railroad Company, at the crossing of Madison avenue, just south of the Hominy Mills, by the track of said company.

The above entitled ordinance was accompanied by the following petition:

To the Honorable, the Common Council of the City of Indianapolis:

Gentlemen:—The undersigned, citizens of Indianapolis, respectfully represent that the Jeffersonville, Madison & Indianapolis Railroad Company have no flagman at the crossing of Madison avenue, near the Hominy Mill, by their road, within the corporate limits of the city; that the constant passing and repassing of their cars at that place, endangers the lives of all persons coming and going into and out of the city at that crossing; and that said railroad company, by its careless and unnecessary conduct, obstructs the crossing of said avenue by their cars, to the great loss and detriment of all persons whose business requires them to cross said avenue at the point named. The undersigned therefore most respectfully pray that such action may be taken by the city authorities as will prevent such danger and obstruction; and especially pray that said railroad company may be compelled to appoint a flagman at that place.

Wm. Wallace, Martin Meyer, Fred. Hofbert, P. Lieber, John Buehler, Kasper Hess, John Weilacher, A. M. Kuhn, J. Baker, Aug. Shultz, M. Kapp, William Robinson, Jacob Kropp, W. Kan, H. Glattfelder, H. Sponsel, Western Furniture Co., Henry W. Zimmer.

By Councilman Fultz:

S. O. 172, 1881—An Ordinance to provide for grading and graveling the first alley west of Illinois street, from Merrill street to Norwood street.

By Councilman Morrison:

G. O. 68, 1881—An Ordinance to prevent injury by fire.

By Councilman Pritchard:

S. O. 173, 1881—An Ordinance to provide for grading and graveling the first alley west of Illinois street (where not already graded and graveled), from Ninth street to first street north of Ninth street.

S. O. 174, 1881—An Ordinance to provide for grading and graveling the first alley south of Seventh street, from Mill street to Howard street.

The above entitled ordinance was accompanied by the following petition:

Indianapolis, Dec. 12th, 1881.

To the Mayor, Common Council and Board of Aldermen of the City of Indianapolis:

Gentlemen:—The undersigned, owners of real estate fronting on first alley south of Seventh street, between Mill and Howard street, respectfully petition for the passage of an ordinance providing for grading and graveling of said alley between the points named.

Henry Clay, 75 feet; Cary Nelson, 25 feet; G. Brooker,
30 feet.

By Councilman Pritchard :

S. O. 175, 1881—An Ordinance providing for the construction of a brick sewer in, and along, Washington street, from the east line of New Jersey street to the center of Pine street; thence north on Pine street to Market street; thence east on Market street to Arsenal avenue; thence north on Arsenal avenue to Ohio street; thence east on Ohio street to State street; thence north on State street to Sturm street, to the center of Randolph street; and providing for the assessment and collection of the cost thereof.

By Councilman Pritchard :

G. O. 69, 1881—An Ordinance making a special tax levy for the year 1882, of cents on each one hundred dollars, upon all property within the city of Indianapolis returned for taxation for general city purposes for the year 1882, for the purpose of erecting, constructing, maintaining and repairing sewers in said city.

By Councilman Weaver :

G. O. 70, 1881—An Ordinance to regulate the construction of buildings, in the sizes of walls, and the requirements of material, for the better protection of human life in case of fire.

G. O. 71, 1881—An Ordinance to provide for the re-organization of the Police Board, Fire Board, Hospital Board, Dispensary Board, and Board of Public Improvements of the city of Indianapolis.

INTRODUCTION OF MISCELLANEOUS BUSINESS.

Councilman Bryce presented the following memorial:

To the Honorable City Council and Board of Aldermen:

Gentlemen:—We have been appointed by this Council and the Board of Aldermen to perform certain duties, and as circumstances have arisen that seems to reflect on our past actions, and that will interfere with the performance of our duties in the future, and as we feel satisfied that a number of our members do not fully understand this matter, therefore, we would respectfully present this memorial for your earnest consideration.

The authority to appoint a staff is delegated to a Hospital Board by general ordinance No. 27, section 3, of 1876, just in the same way as it is to the Fire Board, the Police Board and the Board of Public Improvements, who exercise it in the appointing of firemen, policemen, etc., and it seems to us discourteous that we are interfered with in the honest discharge of our duties.

In appointing the present Hospital staff we adopted the recommendation of the superintendent in whom we have the utmost confidence, and who by his long connection with the medical faculty is the best judge of the merits of the profession

in the city, and who certainly ought to have his wishes considered in the appointing of a staff with which he has so much to do.

No fault ever has been found with the staff as appointed, nor any claim even made that it could be improved, nor any benefit whatever to the hospital through the proposed change is promised, and their only object seems to be to advertise themselves.

It is unnecessary to say that we have no disposition to stand in the way of those schools of medicine, nor yet any member of those schools, but we can not afford to sacrifice the interests of the hospital in order to please them, and we fully believe that great injury would inure to the hospital by appointing a mixed staff.

The first result would be the resignation of every member of the present staff, and should a new staff be appointed from the schools irregular (so called) it would be of no benefit whatever, even should the superintendent call them, therefore there would be virtually no staff.

The students who have been attending clinics have each been charged three dollars and the amount paid into the city treasury is from three to four hundred dollars. As it was the distinct understanding with them that the present staff would remain, this money would have to be returned, or the city involved in a vexatious law suit.

The superintendent is held responsible not only for what he himself and his resident assistants, but also for what the consulting staff does, and it does seem to us unjust to hold him to account and yet not permit him to have a staff in which he has confidence.

We would like to have this vexed question settled, and settled to the satisfaction of all concerned, but that is simply impossible, as we can not reconcile the different schools of medicine. We had petitions signed by a great many of our respectable citizens, to have the various schools of medicine represented on the staff, and if it had been consistent with our duty to the city's interests connected with the City Hospital, would have been pleased to have granted their requests, but as long as there is a superintendent of the Allopathic or regular (so called) school of medicine, there must necessarily be a staff appointed from the same school.

We very much deplore the trouble that has arisen in the matter of appointing a staff, but it has not been brought about by us. The question was fought out in our own board, and settled by a majority, and that ought to be the end of it.

The board holds itself responsible to the Council and Board of Aldermen, from whom it derives its authority, for all its actions, and while we study to perform the duties devolving upon us, we have no right to look after the interests of any college, school of medicine, or in fact anything else, only the best interests of the city in its connection with the unfortunate sick who are obliged to take advantage of the privileges of the hospital.

In connection with this subject it might be well to recognize that our city, even our state is reaping an advantage in the affording of clinical material to the very efficient medical colleges which are established here, and who we are pleased to record are increasing in the membership of their students from year to year. All clinics are under the direction of the superintendent, and must not be allowed to interfere with the health or comfort of the patient—the patient's good being the first object and the science of medicine secondary.

These clinics are open to all colleges and all schools of medicine alike, irregular as well as regular, the only condition being the payment of the customary fee.

In conclusion, we would invite members of Council and from Board of Aldermen to examine into our affairs and our condition as a hospital and public charity.

Trusting gentlemen that you will favorably consider this matter, and leave it where the law has placed it, we are

Yours most respectfully,

Henry Mauer.
Peter F. Bryce.
Majority of Hospital Board.

Councilman Pritchard moved to reconsider the action of the Common Council at the last regular meeting, by which the amendment to the consulting and clinical staff of the City Hospital was adopted.

Which motion was adopted, and the action of the Common Council reconsidered by the following vote :

AYES, 11—viz. Councilmen Brundage, Bryce, Dowling, Egger, Harrold, Knodel, Koller, Pearson, Pritchard, Reichwein, and Thalman.

NAYS, 7—viz. Councilmen Bedford, Caylor, Cole, Coy, Fultz, Morrison, and Weaver.

Councilman Coy offered the following motion :

That John Gustin be, and is hereby, granted a license to sell goods at auction for one year, and that he be allowed to pay for said license quarterly in advance.

Councilman Pritchard moved to strike out of the above motion the words "one year," and insert "three months."

Which amendment was adopted, and the motion as amended was then adopted.

Councilman Cole offered the following motion ; which was referred to the Board of Public Improvements :

Resolved, That the City Civil Engineer be instructed to place a double row of stone crossings across New York street, at the intersection of Alabama street.

Councilman Dowling offered the following motions ; which were referred to the Board of Public Improvements :

That the Street Commissioner be directed to clean the gutters of Tennessee street, between Washington street and South street.

That the Street Commissioner be directed to clean the gutters of Mississippi street, between Washington street and Georgia street.

Councilman Dowling offered the following motion ; which was referred to the Board of Public Improvements :

That the Street Commissioner be directed to fill the chuck-holes on Illinois street, between Washington and South streets, with cinders or broken stone, so as to make the said street passable.

Councilman Bryce offered the following motion ; which was referred to the Board of Public Improvements :

That the Street Commissioner be instructed to mend Illinois street, from Washington street to South street, in the best and cheapest manner which may appear to him.

Councilman Egger offered the following motions ; which were adopted ;

That hereafter, when special bids are to be advertised for the purpose of making loans, or any other special advertising, where the same is to be published in more than one paper, that the German Telegraph be recognized as one of the leading papers, and that such special advertising be also given to that paper.

That Wm. McClintock be, and is hereby, granted permission to grade and pave with brick, the sidewalk in front of his property on Stevens street, between Greer and Water streets; work to be done at his own expense, and under the direction of the City Civil Engineer.

Councilman Fultz offered the following motion; which was referred to the Board of Public Improvements :

That the Street Commissioner be, and is hereby, directed to fill the chuck-holes on West street, between Vinton and Shearer streets.

Councilman Harrold offered the following motions; which were referred to the Board of Public Improvements :

That the Street Commissioner be, and is hereby, instructed to fill chuck-holes on Washington street, between California street and White River bridge.

That the Street Commissioner be, and is hereby, instructed to clean the mud and dirt off of West street, between Washington and Georgia streets.

Councilman Harrold presented the following petition ; which was referred to the Committees on Streets and Alleys and Judiciary :

Indianapolis, Ind., Dec. 19th, 1881.

To the Mayor, Common Council, and Board of Aldermen of the City of Indianapolis:

Gentlemen:—We, the undersigned, owners of real estate in the city of Indianapolis, west of White River and adjacent to Lafayette Pike or Water street, and interested in the improvement hereinafter mentioned, respectfully petition for the passage of an ordinance providing for the purchase of sufficient ground from William Winkner, at the southeast corner of Ray and Water streets to make a suitable roadway, or street, between the corner of said Ray and Water streets and the bank of White river; and also to provide suitable protection to the bank of White river at that point so as to protect the same from washing away and thereby rendering said pike or Water street impassable; and for all of which your petitioners will ever pray.

Ch. F. Lentz, J. W. Smith, P. E. Porter, Mike Horan,
Thomas Noble, John F. Snyder, Owen McDonald, G.
A. Smith, Michael Fries, Theo. Eshleman, Louis
Fany, A. Weymouth, Chas. Dufflan, A. Bowens, and
79 others.

Councilman Koller offered the following motions; which were referred to the Board of Public Improvements :

That the Street Commissioner be and is hereby directed to clean the gutters and fill the chuckholes on North street, between Noble and Pine streets; also to place a railing on north end of the culvert over Pogue's Run, on east Washington street, as a protection to the public.

That the City Civil Engineer advertise for a stone arch across Crooked Run or Arsenal avenue.

Councilman Morrison offered the following motions; which were adopted:

WHEREAS, The gas post on the east side of Tennessee street, between Ohio and Market streets, is about sixty feet south of the alley; therefore

Moved, That the City Civil Engineer be, and is hereby, instructed to at once have said lamp post removed to the northeast corner of the first alley north of said post.

That the gas post on the north side of New York street, and east of Ellsworth street, be, and is hereby, ordered removed to the corner of Ellsworth and New York streets.

That the Street Commissioner, together with the City Civil Engineer, be, and are hereby, ordered to at once place the stone crossing of Tennessee street and Indiana avenue in proper position, as said crossings are now below the grade of said streets.

Councilman Morrison presented the following communication; which was referred to the Judiciary Committee:

Indianapolis, Dec. 19th, 1881.

To the Honorable Mayor and Common Council:

Gentlemen:—I propose to search for and discover taxable property which has heretofore escaped taxation, and has not been listed by the assessor or by the owners thereof, or by any one in their behalf, consisting of bonds, stocks, notes, moneys, and other credits, and report the same with names of the owners thereof to the City Assessor and Treasurer for proper listment and collection of taxes due thereon, for the sum of ten per centum, when such taxes have actually been paid into the city treasury, and not otherwise; said discoveries to embrace the year 1881 and previous years, as the law provides.

Respectfully,

B. F. Riley.

Councilman Morrison offered the following motion; which was referred with the above communication:

That the proposal of B. F. Riley for the collection of taxable property which has heretofore escaped taxation be and is hereby accepted, and that said contract shall continue in force for six (6) months from this date.

Councilman Koller offered the following motion; which was referred to the Committee on Public Light:

That the lamp-posts shall be remantled between Ohio and New York streets on Arsenal avenue.

Councilman Harrold offered the following motion; which was adopted:

That Wm. H. Curry be allowed to bowlder across the sidewalk at north side of Maryland street, Lot No. 50, south West street, corner of West and Maryland streets; the same to be done under the direction of the City Civil Engineer.

Councilman Pearson presented the following petitions; which were referred to the Judiciary Committee:

Indianapolis, Dec. 14th, 1881.

To the Honorable, the Boards of Council and Aldermen, City of Indianapolis:

Your petitioner represents that on the 10th day of February, 1880, he purchased at city tax sale six feet and three inches off west side lots 14, in square 45, said city under tax certificate No. 9,866, for \$1,007.26, which sum he then paid into said city treasury, and says the sum is void sale for reason that the real estate was sold for the personal tax of a person not the owner of said real estate at time taxes accrued; and says that the said tax for which sale occurred was not a lien on said realty, wherefore he prays the same be refunded with 6 per cent. interest, and all proper relief.

William Rowe.

Indianapolis, Dec. 15th, 1881.

To the Honorable Boards of Councilmen and Aldermen of Indianapolis:

Gentlemen:—Your petitioner represents that he bought at delinquent tax sale thirty-five feet on avenue east side of Lot 3, in Baylor's heirs subdivision of Out-lot 160, in Indianapolis, under certificate No. 18,468, and paid 8th February, 1879, \$66.40, and paid subsequent tax thereon December 29, 1879, \$6.51, and paid subsequent tax thereon January 4, 1881, \$9.63, which he asks refunded with 6 per cent. interest because some is and was at time of sale doubly taxed, and is therefore void and refundable under the law.

Yours, etc.,

F. McWhinney.

Councilman Pearson offered the following motion:

That the Committees on Public Property be, and are hereby, instructed to advertise for sale by public auction, all the real estate devised to the city of Indianapolis by the late Stephen D. Tomlinson. The property on Washington street to be sold for cash, and the other parcels on such terms as said committees may determine; provided, that none of said real estate shall be sold for less than the appraisement as made by William Hadley, Robert F. Bence and Robert Dain, as shown in the proceedings of the Common Council of August 2d, 1880, page 350.

And it failed of adoption by the following vote:

AYES, 6—viz. Councilmen Brundage, Egger, Knodel, Morrison Pearson, and Reichwein.

NAYS, 11—viz. Councilmen Bedford, Bryce, Caylor, Cole, Coy, Dowling, Fultz Koller, Pritchard, Thalman, and Ward.

Councilman Weaver was excused for the remainder of this session.

Councilman Pearson offered the following motion; which was referred to the Board of Public Improvements:

That the Street Commissioner be instructed to place a single stone-crossing on Illinois street, at the crossing of St. Jo. street.

Councilman Pearson offered the following motions; which were adopted:

That the City Attorney prepare, and have presented to this Council for passage, an ordinance repealing the ordinance creating the office of East Market Wood Measurer.

That the Street Commissioner be instructed to raise to proper grade the stone crossing on south side of North street, at its intersection with Illinois street.

Councilman Pritchard offered the following resolution; which was referred to the Committee on Markets:

WHEREAS, It is made the duty of the Committee on Markets, by section 10 of the market, ordained June 25th, 1878, to lease all stalls, benches and stands in and connected with city markets; and,

Whereas, There are a large number of stands on the north side of East Market space, and in other parts of the space, that are upon the Market space proper, that are not leased; therefore,

Resolved, That the Committee on Markets advertise at once, giving notice, that all stalls, benches and stands, located upon the Market space proper, will be sold to the highest and best bidder, for the remainder of the market year, in the East and West markets of this city; and the stands on north side of the East Market space, being forty feet south of the south side of Wabash street, are declared to be within the terms of this resolution.

Councilman Reichwein presented the following petition; which was referred to the Board of Public Improvements, City Civil Engineer and City Attorney:

Indianapolis, Ind., December 14th, 1881.

To the Honorable the Common Council of the City of Indianapolis:

Gentlemen:—Whereas, the petition of Peter Schmidt, directed to the Honorable Mayor, Common Council and Board of Aldermen of the city of Indianapolis, and concerning the removal of obstructions from Pogue's Run, within the city of Indianapolis, was presented to the Board of Aldermen of said city, at their meeting held December 12th, 1881; and whereas, upon such presentation of said petition, the following preamble and resolution was adopted by said Board of Aldermen, to-wit:

"WHEREAS, Pogue's Run, in its course through the city, and particularly between Ohio and Tennessee streets, is obstructed by railroad crossings, culverts, dirt, debris, and other obstacles, preventing a natural flow of the waters in said stream, thereby causing overflows and damages to private property, and the city to liability for the payment of damages;

Resolved, That the City Civil Engineer and City Attorney report to this body and the Common Council, as early as practicable, what action is necessary to secure a prompt removal of all obstructions to a free and natural flow of the waters, and to prevent any obstructions to such stream in the future;"

Now, therefore, your undersigned petitioners, being residents and taxpayers of said city, and interested in the prompt removal of obstructions to the free and natural flow of the waters of said stream, within said city, as prayed in said petition and contemplated in said resolution, would most respectfully request that your honorable body will, in conjunction with the honorable Board of Aldermen, take such action as may be necessary to secure the prompt removal of all obstructions to a free and natural flow of the waters of said Pogue's Run, and to prevent any and all such obstructions to said stream in the future.

And for all proper relief in the premises, your petitioners will, as in duty bound, ever pray, etc.

Peter Schmidt, Eighth Ward, near Pogue's Run;
 Rebert Denny, Eighteenth Ward, near Pogue's Run;
 C. H. Schad, Ninth Ward, near Pogue's Run;
 Mrs. Ida Henning, Eighth Ward, near Pogue's Run;
 Abel Schaaf, Eighth Ward, near Pogue's Run;
 Henry Weiker, Eighth Ward, near Pogue's Run;
 Ludwig Meyer, Eighth Ward, near Pogue's Run;
 George Schad, Eighth Ward, near Pogue's Run;
 Magdalena Schad, Eighth Ward, near Pogue's Run;
 Mrs. Mary Smith, Eighth Ward, near Pogue's Run;
 and 61 others.

Councilman Thalman presented the following petition ; which was referred to the Committee on Judiciary and City Attorney, to report at the special session to be held Tuesday evening, December 27th, 1881 :

To the Honorable Board of County Commissioners of Marion County Indiana :

The Mayor, Common Council and Board of Aldermen of the City of Indianapolis, Marion County, and State of Indiana, respectfully represent and show that they are desirous of having annexed to the said city of Indianapolis the following unplatted lands and territory which is now contiguous to the present corporate limits of said city, to-wit :

Commencing at the north-west corner of Out-lot number sixteen (16,) west of White River, in said city of Indianapolis, County of Marion and State of Indiana; thence west along the center of the National Road or Washington street, to a point in the west line of Section three (3,) Township fifteen (15,) north of Range three (3,) east, in said Marion County; thence south along said Section line to the north-west corner of Section ten (10,) Township and range aforesaid; thence south along the west lines of said Section ten (10,) and Section fifteen (15,) in said Township and Range, to the southwest corner of said Section fifteen (15,); thence east along the south line of said Section fifteen (15,) to the west line of the southeast quarter of said Section fifteen (15,); thence south along the west line of the northeast quarter of Section twenty-two (22,) in said Township and Range to the north bank of White River; thence in a northeasterly direction along the north bank of said White River to a point two thousand and forty and forty-three hundredth feet (2,040 43-100,) east of the west line of the northeast quarter of said section twenty-two (22,); thence north and parallel to the west line of said quarter section line, to a point in the south line of said southeast quarter of said Section fifteen (15,); thence east along said section line to a point in the east line of said Section (15,) thence east along the south line of Section (14,) in said Township and Range to a point on the east bank of said White River; thence in a northerly direction along the east bank of said White River to the west corporation line of said city of Indianapolis; thence along said west corporation line in a northerly direction, being along the east bank of said White River to a point where said corporation line intersects the north line of Section eleven (11,) in said Township and Range; thence west along the north line of said Sections eleven (11,) and ten (10,) (the same being the south corporation line of that part of said city of Indianapolis which lies west of said White River) to the southwest corner of said Out-lot number sixteen west of White River; thence north along the west line of said Out-lot number sixteen (16,) to the place of beginning.

The following additions and subdivisions are included in, and are a part of the territory above described to-wit :

Kappes & Naltner's second Belmont addition to the city of Indianapolis, being a subdivision of the east half of the southwest quarter of Section ten (10,) Township fifteen (15,) north of Range three (3,) east, as recorded in Plat Book No. 7, page 52, in the Recorder's office of said Marion county, Indiana.

Oliver's first Westside addition, being a subdivision of a portion of the southwest part of the west half of the northeast quarter of Section ten (10,) Township fifteen (15,) north of range three (3,) east, as recorded in Plat Book, No 7, page 183, in the Recorder's office of said Marion county, Indiana.

Kappes & Naltner's Belmont addition to the city of Indianapolis, being in the northwest corner of the northwest quarter of Section fifteen (15,) Township fifteen (15,) north of Range three (3,) east, as recorded in Plat Book No. 4, page 284, in the Recorder's office of said Marion county, Indiana.

James F. Coburn's first Belmont addition being a subdivision of two and one-half acres off of the east side of a tract of ten (10,) acres off of the west side of a tract of land in the northwest quarter of Section fifteen (15,) Township fifteen (15,) north of Range three (3,) east, as recorded in Plat Book No. 7, page 136, in said Marion County, Indiana.

Jacob Traub's corrected plat of his southwest Indianapolis addition to Indianapolis, being a part of the northwest quarter of Section fifteen (15,) Township fifteen (15,) north, of Range three (3,) east, as recorded in Plat Book No. 8, page 23, in the Recorder's office in said Marion county, Indiana.

McCarty's first west side addition to the city of Indianapolis, being a part of Section fifteen (15,) Township fifteen (15,) north of Range three (3,) east, as recorded in Plat Book No. 8, page 20, in the Recorder's office of said Marion county, Indiana.

McCarty's second west side addition to the city of Indianapolis, being a part of the northeast quarter of Section fifteen (15,) Township fifteen (15,) north of Range three (3,) east, as recorded in Plat Book No. 8, page 19, in the Recorder's office of said Marion county, Indiana.

Parker & Hanway's southwest addition to Indianapolis, being a subdivision in the northwest quarter of Section fifteen (15,) Township fifteen (15,) north of Range three (3,) east, as recorded in Plat Book No. 4, page 256, in the Recorder's office of said Marion county, Indiana.

Pleasant Bond's addition to Belmont, being a subdivision of five and seventy-three-hundredth acres in Section fifteen (15,) Township fifteen (15,) north, of Range three (3,) east, as recorded in Plat Book No. 6, page 49, in the Recorder's office of said Marion county, Indiana.

Davis Nordyke's addition to Indianapolis, being a subdivision of a part of Section ten (10,) Township fifteen (15,) north, of Range three (3,) east, as recorded in Plat Book No. 8, page 10, in the Recorder's office of said Marion county, Indiana.

That no part or portion of said platted lands are contiguous to the present corporate limits of said city.

A plat of the said lands, additions, subdivisions, streets, and alleys so desired to be annexed is herewith filed and made a part hereof and marked exhibits "A," "B," "C," "D," "E," "F," "G," "H," "I," "J," and "K."

Your petitioners would further show that said described tracts of land should be annexed to said city for the following reasons to-wit:

1st. Because it is essential that the police powers of said city should be extended over said territory.

2d. Because it is essential to the proper laying out and improvement of streets and alleys, and the construction and maintainance of bridges.

3d. Because it is essential to the proper carrying out and enforcement of sanitary regulations, and to secure and promote the health of the citizens of said city.

4th. Because said annexation is for the benefit of the public generally.

Your petitioners therefore pray that your honorable body order the annexation of the above and foregoing described territory and tracts of land to the said city of Indianapolis, and extend the corporate limits so as to include the same.

In witness whereof the Mayor, members of the Common Council and Board of Aldermen of the said city of Indianapolis have hereunto subscribed their names.

D. W. Grubbs, Mayor; Geo. Weaver, Councilman from the First Ward; H. B. Stout, Councilman from the Second Ward; James A. Pritchard, Councilman from the Third Ward; Allen Caylor, Councilman from the Fourth Ward; John R. Pearson, Councilman from the Fifth Ward; B. Ward, Councilman from the Sixth Ward; C. T. Bedford, Councilman from the Seventh Ward; E. H. Koller, Councilman from the Eighth Ward; Phil. Reichwein, Councilman from the Ninth Ward; B. W. Cole, Councilman from the Tenth Ward; Isaac Thalman, Councilman from the Eleventh Ward; Wm. H. Morrison, Councilman from the Twelfth

Ward; John R. Cowie, Councilman from the Thirteenth Ward; H. J. Mauer, Councilman from the Fourteenth Ward; Patrick Harrold, Councilman from the Fifteenth Ward; Jas. T. Dowling, Councilman from the Sixteenth Ward; Peter F. Bryce, Councilman from the Seventeenth Ward; Simeon Coy, Councilman from the Eighteenth Ward; Frederick Hartmann, Councilman from the Nineteenth Ward; N. Yoke, Councilman from the Twentieth Ward; Edgar Brundage, Councilman from the Twenty-first Ward; John Egger, Councilman from the Twenty-second Ward; Edward H. Dean, Councilman from the Twenty-third Ward; Ernst Knodel, Councilman from the Twenty-fourth Ward; John W. Fultz, Councilman from the Twenty-fifth Ward. James T. Layman, Alderman from the First Aldermanic District; F. W. Hamilton, Alderman from the First Aldermanic District; D. DeRuiter, Alderman from the Second Aldermanic District; H. E. Drew, Alderman from the Third Aldermanic District; Brainard Rorison, Alderman from the Third Aldermanic District; W. H. Tucker, Alderman from the Fourth Aldermanic District; Hiram Seibert, Alderman from the Fourth Aldermanic District; D. Mussmann Alderman from the Fifth Aldermanic District.

Councilman Thalman offered the following resolution; which was referred with the above petition:

Resolved, That the foregoing petition for the annexation of certain territory therein described, be, and the same is hereby, adopted as the petition of the Common Council and Board of Aldermen of the city of Indianapolis, to the Board of Commissioners of Marion county, Indiana; and the City Clerk is hereby directed to file the same, with a certified copy of this resolution and proceedings herein on this subject, together with the vote of the Common Council and Board of Aldermen thereon, in the office of the Auditor of said Marion county, Indiana.

Councilman Pearson moved that when this Council adjourns, it adjourn to meet again Tuesday evening, December 27th, 1881.

Which motion was adopted.

Councilman Thalman offered the following motion; which was adopted:

That the City Attorney be directed to report whether the city has the right to levy a sewer tax over the present 90 cent limit.

On motion, the Common Council then adjourned.

DANIEL W. GRUBBS, Mayor,

President of the Common Council.

Attest: JOS. T. MAGNER, City Clerk.